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Ex Parte

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W., Suite TW-A325
Washington, DC 20554

Re: *IP-Enabled Services*, WC Docket No. 04-36; *E911 Requirements for IP-Enabled Service Providers*, WC Docket No. 05-196

Dear Ms. Dortch:

AT&T Corp. ("AT&T") submits this *ex parte* letter to update the Commission on its plans to ensure that its AT&T CallVantage™ Service¹ remains in compliance with the Commission's 911 rules.² Basic access to 911 is a vitally important feature of the telecommunications network, and AT&T fully supports the Commission's efforts to ensure that VoIP customers have available the most robust 911 capabilities that technology can provide.

As the Commission's *VoIP 911 Order* recognizes, the limits of currently available technology present significant challenges to the proper routing of 911 calls when VoIP services are used "nomadically" – *i.e.*, when the customer uses the service from a broadband connection that is not associated with the customer's registered primary address. AT&T is pleased to report

¹ AT&T CallVantage Service is an IP-based offering that enables its subscribers to make calls to, and receive calls from, both PSTN-connected and broadband-connected telephone users. AT&T CallVantage Service customers connect an ordinary voice-grade telephone to an AT&T-supplied adapter and connect the adapter to a broadband connection (e.g., a cable or DSL modem). The adapter performs the conversions between analog voice signals and IP packets.

² See *IP-Enabled Services; E911 Requirements for IP-Enabled Service Providers*, WC Docket Nos. 04-36 & 05-196, First Report and Order and Notice of Proposed Rulemaking, FCC 05-116, 20 FCC Rcd. 10245 (2005) ("*VoIP 911 Order*").

that it has developed an innovative new solution designed to (i) enable its customers to obtain proper 911 routing when they use AT&T CallVantage Service nomadically within AT&T's 911-capable footprint, and (ii) only provide service at locations where AT&T can provide 911 capabilities.

AT&T's VoIP Telephone Adapters ("TA") are equipped with a feature that allows the TA to send a communication to the AT&T Network once every twenty-four hours. Any time the TA is disconnected from a power source and then reconnected, the TA "checks back in" with the AT&T network and the 24-hour cycle is reset. Upon reconnection, AT&T's network can detect that the 24-hour cycle has shifted – *i.e.*, it can detect that the TA has been disconnected and then reconnected. AT&T has named this movement detection process the "Heartbeat Solution" to address the 911 issues created by the nomadic use of AT&T's VoIP TAs.

Once the Heartbeat Solution has detected the possibility of customer movement of the VoIP TA, the AT&T network will temporarily suspend the customer's service and will post a message at the customer's web portal directing the customer to confirm the existing registered location address or register a new location address. If the customer attempts to make a call before she confirms or registers the new primary location, AT&T will institute a call intercept that will require the customer to confirm that her registered primary location has not changed.³ If the customer confirms that she is still using the service at her primary registered location, full service will be immediately restored, and calls can be completed. If the customer confirms that she has moved her service from the existing registered location address, service will remain suspended until she registers a new primary location address (via either the web portal or a call to an AT&T service representative).⁴ If the customer fails to choose either option (for example by just terminating the call), her service will remain suspended, but 911 calls will continue to be routed to the PSAP associated with the primary registered location. Thus, as a result of the heartbeat solution, the customer will be required to register a new address when the service is being used nomadically.⁵

³ Because most TA disconnections are not associated with a customer location move, AT&T will not intercept or block a 911 call placed by a suspended service customer in these circumstances; instead AT&T will route the 911 call consistent with the customer's existing registered location information.

⁴ Once the customer indicates that she has changed her address, she will be required to enter a new primary registered location. If the customer indicates a location within the geographic area in which AT&T can provide 911, network routing that will allow a 911 call to be routed to the new, geographically appropriate PSAP will be in place within minutes of the customer's registering of the new location address (as the *VoIP 911 Order* recognizes, ALI customer location information can be passed to the geographically appropriate PSAP only after the appropriate ALI databases are updated and only to the extent the PSAP is capable of receiving and utilizing that information). Alternatively, if the customer indicates a location outside the geographic area in which AT&T can provide 911, or does not provide any address update, the customer's service will remain suspended.

⁵ Indeed, the Heartbeat Solution will capture *all* nomadic uses, along with a number of "false positives." A TA can be disconnected and reconnected for various reasons – *e.g.*, power outages, rebooting the TA to clear a trouble, moving the TA between locations within a home, ISP

AT&T's compliance plan for November 28, 2005 builds upon this new Heartbeat Solution and consists of the following components:

1. AT&T will take all commercially reasonable steps to expeditiously implement 911 at the primary registered locations of its existing customers by November 28, 2005. AT&T already has direct connections to a substantial percentage of the selective routers within its service areas, and AT&T is actively constructing additional direct connections and obtaining other direct connections through third-party vendors. AT&T estimates that these arrangements will allow it to provide 911 capabilities to the registered home locations of the vast majority of its VoIP customers by November 28, 2005.

2. On or before November 28, 2005, AT&T will stop accepting new AT&T CallVantage Service customers in areas where it cannot provide 911 capabilities. At the same time, for the small percentage of AT&T's existing customer base for which AT&T will be unable to provide 911 capabilities by November 28, 2005, AT&T will grandfather those specific existing customers served by PSAPs that are behind selective routers so that they can continue to use the service from their registered primary locations (and nomadically wherever 911 is available) as AT&T works expeditiously to expand its 911 footprint.

3. On or before November 28, 2005, AT&T will implement its Heartbeat Solution, which will allow AT&T to (i) require its AT&T CallVantage Service customers to register a service location address whenever the service is used nomadically, (ii) enable these customers to continue to receive 911 coverage when they use AT&T's service nomadically within AT&T's 911-capable footprint, and (iii) only provide service at locations where AT&T can provide 911 capabilities.

4. In recognition of the public interest in providing a 911 solution that allows customers to use their VoIP services nomadically while simultaneously ensuring that the service cannot be used outside of a provider's 911-capable service areas, AT&T will license the confidential procedures that are included in the Heartbeat Solution that it has developed to other VoIP providers on commercially reasonable terms.

5. To support the cooperative efforts of the many entities, including public safety organizations, that must work together to make VoIP 911 possible, AT&T will contribute to the Public Safety Foundation of America or a similar public safety organization calculated on the following basis: AT&T will contribute an amount equal to \$0.25 per subscriber per day for the number of days that each AT&T CallVantage Service subscriber remains grandfathered (as described above) through December 31, 2005. Beginning January 1, 2006, the payment will

connectivity outages or planned maintenance, or an AT&T server maintenance or service outage. AT&T's network would suspend service and prompt the user for a confirmation of address in any of these situations – thus erring on the side of public safety by always prompting the customer for an address confirmation or update when the TA *may* have been moved to a new location.

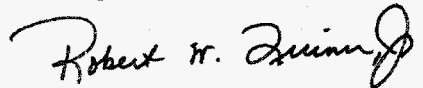
increase to \$0.50 per subscriber per day; on February 1, 2006, the payment will increase to \$0.75 per subscriber per day; and on March 1, 2006, the payment will increase to \$1.00 per subscriber per day for any customers that remain grandfathered. For purposes of this section, grandfathered customers will include any customer for whom AT&T has not implemented the Heartbeat Solution to detect nomadic use of the AT&T CallVantage service.

6. To enable the most expeditious expansion of its 911 footprint, AT&T will also commit to implement any new commercially reasonable technological solutions in areas served by a selective router.

7. AT&T will file a compliance update with the Commission each month detailing its progress in expanding its 911 footprint, unless the Commission relieves AT&T of this obligation.

AT&T commends the Commission for its efforts to bring 911 capabilities to VoIP users and looks forward to continuing to work with the Commission and other parties to ensure a nationwide communications system that promotes the safety and welfare of all Americans.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert W. Quinn". The signature is written in a cursive, flowing style.